

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BOBBY O'NEAL,	:	
	:	NO. 1:12-CV-00246
Plaintiff,	:	
	:	
	:	
v.	:	ORDER
	:	
	:	
COMMISSIONER OF SOCIAL	:	
SECURITY	:	
	:	
Defendant.	:	

This matter is before the Court on the Magistrate Judge's Report and Recommendation (doc. 23) and Plaintiff's objections thereto (doc. 24). In her Report and Recommendation, the Magistrate Judge recommends that the decision of the Administrative Law Judge ("ALJ") denying Plaintiff's applications for disability insurance benefits and supplemental security income be affirmed and this case be dismissed from the Court's docket.

In brief, Plaintiff filed applications for supplemental security income and disability insurance benefits, alleging an amended disability onset of October 15, 2010, due to back and foot problems and amputation of several fingers on his right hand. The Administrative Law Judge ("ALJ") determined that Plaintiff suffered from degenerative disc disease,

amputation of the middle three fingers of the right hand, and left heel protuberance. However, the ALJ further determined that Plaintiff was not disabled under the Social Security Act and that he had the residual functional capacity to perform light work, with certain restrictions.

Plaintiff argued that the ALJ erred in finding Plaintiff capable of performing his past relevant work as a stock checker and industrial cleaner because the work that the ALJ relied on as "past relevant work" was not technically "past relevant work." The Magistrate Judge rejected this assignment of error, determining that the ALJ's decisions were supported by substantial evidence.

As required by 29 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon thorough consideration of the foregoing, the Court finds Plaintiff's objections unpersuasive and determines that the Magistrate Judge's Report and Recommendation is thorough, well-reasoned and correct. Consequently, the Court ADOPTS and AFFIRMS it in its entirety (doc. 23). Accordingly, the decision of the Commissioner is

AFFIRMED and this matter is closed from the Court's docket.

SO ORDERED.

Dated: April 9, 2013 s/S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge